

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

Metropolitan Water District of Southern California
Board Room
700 North Alameda Street
Los Angeles, California
December 12, 2002
459th REGULAR MEETING

ITEM: 17

SUBJECT: Waiver of Waste Discharge Requirements (WDRs) for Specified Composting Operations

PURPOSE: To consider the tentative resolution to renew the waiver of WDRs for seven specified composting operations. Following the hearing, staff will ask the Board to adopt the tentative resolution renewing the waiver.

BACKGROUND: California Water Code (CWC) §13269 allows regional boards to waive the requirement for a report of waste discharge or the requirement to adopt WDRs for specific types of discharges under their jurisdiction. Regional boards typically issue waivers when a discharge poses a relatively low risk to water quality and such a waiver is not against the public interest. These waivers are conditional and may be terminated at any time by the regional board. The Los Angeles Regional Water Quality Control Board currently has four existing waivers, including a waiver for specified composting operations.

The existing waiver applies only to seven facilities that produce under 500 cubic yards of compost. Larger composting facilities have been subject to WDRs. The Regional Board will require that subsequent composting operations apply for Statewide General WDRs for Discharges of Greenwaste, scheduled to be adopted by California State Water Resources Control Board in 2003.

Senate Bill 390

Senate Bill 390 was signed into law October 6, 1999 and revised section 13269 of the California Water Code CWC. In general, the revised section requires each regional board to:

- review the terms, conditions, and effectiveness of each type of “Waiver of WDRs and Water Quality Certification” included in their waiver policies;
- renew waiver policies and individual waivers by January 1, 2003 (failure to renew waivers will automatically result in their termination);

- issue general or individual WDRs for ongoing discharges whose waivers have been terminated and where it is determined that WDRs would provide a more appropriate and effective means of regulation;
- enforce waivers; and,
- renew/terminate waivers every five years.

The Regional Board has four existing waivers. These are for septic systems, specified (small) composting operations, disposal of uncontaminated mud/drill cuttings, and swimming pool discharges. The waivers for mud/drill cuttings and swimming pool discharges are no longer necessary. Mud/drill cuttings are covered by an exemption in Title 27 CCR. Swimming pool discharges are covered by exemptions in the Los Angeles County, Ventura County, and City of Long Beach Municipal Storm Water Permits. The waiver for septic systems was granted an 18-month extension per AB 2481, which becomes effective January 1, 2003. The request for renewal of the waiver for specified composting operations only pertains to the seven existing waived facilities. All new small-scale commercial composting operations will be subject to the Statewide General WDRs for Discharges of Green Waste that will be adopted by State Water Resources Control Board in 2003.

PROPOSED ACTION: Staff proposes to renew the seven existing specified composting waivers rather than allow them to expire. The renewed waiver will specifically apply to operators of these agricultural, commercial and industrial sites that are located in Los Angeles and Ventura Counties.

CONDITIONS OF WAIVER: Recommendations for conditions to the renewed waiver remain unchanged from the original and require that the operators comply with disclosure requirements for any changes in the nature of the operation, compost source material, and facility physical properties.

ALTERNATIVES: As an alternative to renewing the waiver as proposed by staff, the Regional Board could consider the option to allow the waiver expire and issue individual WDRs for discharges of greenwaste.

RESULT OF ACTION: The renewal of the waiver for specified composting operations would apply only to the existing seven waiver holders located in Los Angeles and Ventura Counties.

CEQA COMPLIANCE: The waiver of waste discharge requirements for specified composting operations was reviewed by staff, including the Negative Declaration adopted by Resolution No. 96-04 on May 6, 1996. No changes in environmental circumstances or conditions were identified that would require new CEQA review.

RECOMMENDATION: Staff recommends that the Board adopt the attached tentative Resolution renewing the waiver for Specified Composting Operations.